

JAP:MKM

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12M697

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

EMILCE DE JESUS CARDONA GARCIA,

Defendant.

- - - - -X

EASTERN DISTRICT OF NEW YORK, SS:

GREG STEMKOWSKI, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about July 25, 2012, within the Eastern District of New York and elsewhere, defendant EMILCE DE JESUS CARDONA GARCIA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:¹

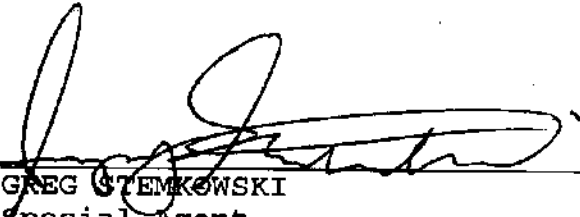
1. On or about July 25, 2012, the defendant EMILCE DE JESUS CARDONA GARCIA arrived at John F. Kennedy International Airport ("J.F.K. Airport") in Queens, New York, aboard Avianca Flight No. 20 from Bogota, Colombia.

2. Defendant EMILCE DE JESUS CARDONA GARCIA was selected for a Customs and Border Protection ("CBP") examination and presented for inspection, and claimed ownership of, two pieces of luggage. Within the defendant's luggage, CBP Officers found thirty-eight (38) small packages labeled as hair-care products. CBP Officers opened two of the packages, revealing clear plastic pouches within the original labeled packaging. Within the clear plastic pouches, the CBP officers found a brown pasty substance, which field-tested positive for the presence of heroin. Defendant EMILCE DE JESUS CARDONA GARCIA was then placed under arrest.

3. The total approximate gross weight of the small packages found in the defendant's luggage is 3,653.8 grams.

^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause, I have not described all the relevant facts and circumstances of which I am aware.

WHEREFORE, your deponent respectfully requests that defendant EMILCE DE JESUS CARDONA GARCIA be dealt with according to law.



GREG STEMKOWSKI
Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me this
25th day of July, 2012

HONORABLE CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK